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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/041,081	01/07/2002	Jonathan D. Levine	D/A 1202;690-010417-US (PA)	2426
7590 11/17/2004 Clarence A. Green Perman & Green, LLP, 425 Post Road Fairfield, CT 06430			EXAMINER PAULA, CESAR B	
			ART UNIT 2178	PAPER NUMBER

DATE MAILED: 11/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/041,081	LEVINE, JONATHAN D.	
	Examiner	Art Unit	
	CESAR B PAULA	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 January 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. This action is responsive to the application filed on 1/7/2002.

**This action is made Non-Final.**

2. Claims 1-38 are pending in the case. Claims 1, and 20 are independent claims.

### ***Drawings***

3. The drawings filed on 1/7/2002 have been approved by the examiner.

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 4-8, 12-13, 23-27, and 32-33 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6. Claims 4-8, and 23-27 recite the limitation "the book title, the book author, the book publisher, the International Standard Book Number, the publishing date" in line 2. There are no previous the "book title, book author, book publisher, International Standard Book Number, publishing date" in the claims to serve as a prior reference. There is insufficient antecedent basis for this limitation in the claim.

Art Unit: 2178

7. Claims 12, and 32 recite the limitation "the book block" in line 2. There are no previous the "book block" in the claim to serve as a prior reference. There is insufficient antecedent basis for this limitation in the claim.

8. Claims 13 and 33 recite the limitation "the book cover" in line 2. There are no previous the "book cover" in the claim to serve as a prior reference. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. Claims 1-3, 9-23, and 28-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Warmus et al, hereinafter Warmus (Pat.# 6,332,149 B1, 12/18/2001, filed on 2/11/1997).

Regarding independent claim 1, Warmus discloses the development of template files representing pages of books to be reproduced –*receiving as book files digital representation of a book* -- (col. 10, lines 45-67).

Art Unit: 2178

Moreover, Warmus discloses stripping or converting the template files from variable or fixed information—*converting said book files to have a solution-independent, intermediate format*. These files contain information specifying the positioning of fixed and variable information—*storing solution-independent, intermediate formatted book files along with book identification information*(generic or independent format with information identifying fixed and variable positioning) *as a mastered book* (col. 10, lines 45-67, col.11, lines 34-44).

Moreover, Warmus discloses converting the stripped files into master PDL files expressed in a page description language —*converting solution-independent, intermediate formatted book files to solution-dependent (page description format) formatted book files* -- (col. 11, lines 1-3, 33-36).

Furthermore, Warmus discloses using commands in a press file to create the finished books or book versions —*reproducing said book* -- (col. 11, lines 45-51).

Regarding claim 2, which depends on claim 1, Warmus discloses the development of template files representing pages of books to be reproduced —*said book is in the form of electronic files* -- (col. 10, lines 45-67).

Regarding claim 3, which depends on claim 1, Warmus discloses scanning book pages into a system and printing them over a network —*scanning and converting scanned components into said digital representation* -- (col. 8, lines 8-30).

Art Unit: 2178

Regarding claim 9, which depends on claim 1, Warmus discloses the development of template files representing pages of books to be reproduced or printed –*generating hard copy book production information* -- (col.9, lines 12-44, col. 10, lines 45-67).

Regarding claim 10, which depends on claim 1, Warmus discloses using commands –*printing information* -- in a press file to create the finished books or book versions (col. 11, lines 45-51).

Regarding claim 11, which depends on claim 9, Warmus discloses creating the finished books or book versions in a “saddle-stitch” format –*binding information* -- (col. 9, lines 12-22).

Regarding claim 12, which depends on claim 1, Warmus discloses using a RIP processor for converting the book page files into bitmap page files –*creating a bitmap of the book block* -- (col. 8, lines 63-67).

Regarding claim 13, which depends on claim 1, Warmus discloses using a RIP processor for converting the book, which includes a cover, page files into bitmap page files –*creating a bitmap of the book block* -- (col. 8, lines 63-67, col.9, lines 45-61, fig.6A-B).

Regarding claim 14, which depends on claim 1, Warmus discloses the development of template files representing pages of books to be reproduced or printed –*generating hard copy book production information* -- (col.9, lines 12-44, col. 10, lines 45-67).

Regarding claim 15, which depends on claim 1, Warmus discloses using a format, having watermarks and barcode—*security information--*, for the book pages to be printed (col. 29, lines 22-35, col. 30, lines 6-12).

Regarding claim 16, which depends on claim 1, Warmus discloses using a RIP processor for converting the book, page files into bitmap page files which are used to control a CRT or LCD display —*book presentation information comprises viewing capabilities --* (col. 7, lines 24-42).

Regarding claim 17, which depends on claim 1, Warmus discloses using a RIP processor for converting the book, page files into bitmap page files which are used to control a printer — *book presentation information comprises printing capabilities --* (col. 7, lines 24-42).

Regarding claim 18, which depends on claim 1, Warmus discloses sending the book files to a remote location via the Internet —*providing access to said book via an electronic link --* (col. 7, lines 34-52).

Regarding claim 19, which depends on claim 1, Warmus discloses sending the book files, via email, to a remote location via a computer network —*delivering said book to a predefined destination --* (col. 7, lines 34-52).

Art Unit: 2178

Claim 20 is directed towards a computer system for implementing the steps found in claim 1, with the exception of a *book reproduction workflows*—which is taught by the method for producing books that includes several conversion and other production steps-- *book reproduction workflows* --, as taught by Warmus (col.10, lines 45-col.11, line50, and therefore is similarly rejected.

Claims 21-22, and 28-38 are directed towards a computer system for implementing the steps found in claims 2-3, 9-13, 9, 15-19 respectively, and therefore are similarly rejected.

### ***Claim Rejections - 35 USC § 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 4-8, and 23-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Warmus, in view of Dickmeyer et al, hereinafter Dickmeyer (Pat. # 6,413,100 B1, 7/2/2002, filed on 8/8/2000).

Regarding claim 4, which depends on claim 1, Warmus discloses using a RIP processor for converting the book, which includes a cover, page files into bitmap page files (col. 8, lines

Art Unit: 2178

63-67, col.9, lines 45-61, fig.6A-B). Warmus fails to explicitly disclose: *said book identification information comprises the book title*. However, Dickmeyer teaches providing the title of a book allowing book object identification (col.5, lines 57-67). It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine Warmus, and Dickmeyer, because Dickmeyer teaches providing students online resources for searching and provide results targeted at specific areas the students are having problem (col. 3, lines 60-67). This allows the student to quickly and effectively retrieve data tailored to the student's needs.

Regarding claim 5, which depends on claim 1, Warmus discloses using a RIP processor for converting the book, which includes a cover, page files into bitmap page files (col. 8, lines 63-67, col.9, lines 45-61, fig.6A-B). Warmus fails to explicitly disclose: *said book identification information comprises the book author*. However, Dickmeyer teaches providing the author of a book allowing book object identification (col.5, lines 57-67). It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine Warmus, and Dickmeyer, because Dickmeyer teaches providing students online resources for searching and provide results targeted at specific areas the students are having problem (col. 3, lines 60-67). This allows the student to quickly and effectively retrieve data tailored to the student's needs.

Regarding claim 6, which depends on claim 1, Warmus discloses using a RIP processor for converting the book, which includes a cover, page files into bitmap page files (col. 8, lines 63-67, col.9, lines 45-61, fig.6A-B). Warmus fails to explicitly disclose: *said book identification information comprises the book publisher* However, Dickmeyer teaches providing the publisher of a book allowing book object identification (col.5, lines 57-67). It would have been obvious to

Art Unit: 2178

a person of ordinary skill in the art at the time of the invention to combine Warmus, and Dickmeyer, because Dickmeyer teaches providing students online resources for searching and provide results targeted at specific areas the students are having problem (col. 3, lines 60-67). This allows the student to quickly and effectively retrieve data tailored to the student's needs.

Regarding claim 7, which depends on claim 1, Warmus discloses using a RIP processor for converting the book, which includes a cover, page files into bitmap page files (col. 8, lines 63-67, col.9, lines 45-61, fig.6A-B). Warmus fails to explicitly disclose: *said book identification information comprises the International Standard Book Number*. However, Dickmeyer teaches providing the ISBN of a book allowing book object identification (col.5, lines 57-67). It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine Warmus, and Dickmeyer, because Dickmeyer teaches providing students online resources for searching and provide results targeted at specific areas the students are having problem (col. 3, lines 60-67). This allows the student to quickly and effectively retrieve data tailored to the student's needs.

Regarding claim 8, which depends on claim 1, Warmus discloses using a RIP processor for converting the book, which includes a cover, page files into bitmap page files (col. 8, lines 63-67, col.9, lines 45-61, fig.6A-B). Warmus fails to explicitly disclose: *said book identification information comprises the book publishing date*. However, Dickmeyer teaches providing the copyright date of a book allowing book object identification (col.5, lines 57-67). It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine Warmus, and Dickmeyer, because Dickmeyer teaches providing students online resources for

Art Unit: 2178

searching and provide results targeted at specific areas the students are having problem (col. 3, lines 60-67). This allows the student to quickly and effectively retrieve data tailored to the student's needs.

Claims 23-27 are directed towards a computer system for implementing the steps found in claims 3-8 respectively, and therefore are similarly rejected.

### ***Conclusion***

I. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Dreyer et al. (Pat. # 6,088,710), Warmus et al. (Pat. # 6,446,100, and 6,327,599), and Knowlton (Pat. # 5,283,864).

II. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cesar B. Paula whose telephone number is (571) 272-2148. The examiner can normally be reached on Monday through Friday (every other Friday off) from 8:00 a.m. to 4:00 p.m. (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong, can be reached on (571) 272-4124. However, in such a case, please allow at least one business day.

Any response to this Action should be mailed to:

Commissioner for Patents

Art Unit: 2178

P.O. Box 1450

Alexandria, VA 22313-1450

Or faxed to:

- (703) 703-872-9306, (for all Formal communications intended for entry)



CESAR B PAULA  
Patent Examiner  
Art Unit 2178

11/12/04